

SENATE BILL 621

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2lr1966
CF HB 497

By: **Senators Shank, Jennings, Simonaire, ~~and Young~~ Young, Mathias, and Montgomery**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2012

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Epinephrine Availability and Use – Policy Requirements**

3 FOR the purpose of requiring each county board of education to establish a policy to
4 authorize certain school personnel to administer auto-injectable epinephrine to
5 certain students under certain circumstances; requiring a certain policy to
6 include certain information; ~~providing that a certain policy may authorize a~~
7 ~~school nurse to obtain and store at a public school auto-injectable epinephrine~~
8 ~~for certain purposes~~; requiring certain public schools to submit a certain report
9 to the State Department of Education; requiring the Department to develop and
10 disseminate a certain standard form; defining certain terms; and generally
11 relating to an epinephrine availability and use policy in public schools.

12 BY adding to

13 Article – Education

14 Section 7-426.2

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2011 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

20 **7-426.2.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
2 MEANINGS INDICATED.

3 (2) "ANAPHYLAXIS" MEANS A SUDDEN, SEVERE, AND
4 POTENTIALLY LIFE-THREATENING ALLERGIC REACTION THAT OCCURS WHEN
5 AN INDIVIDUAL IS EXPOSED TO AN ALLERGEN.

6 (3) "AUTO-INJECTABLE EPINEPHRINE" MEANS A PORTABLE,
7 DISPOSABLE DRUG DELIVERY DEVICE THAT CONTAINS A PREMEASURED SINGLE
8 DOSE OF EPINEPHRINE THAT IS USED TO TREAT ANAPHYLAXIS IN AN
9 EMERGENCY SITUATION.

10 (B) EACH COUNTY BOARD SHALL ESTABLISH A POLICY FOR PUBLIC
11 SCHOOLS WITHIN ITS JURISDICTION TO AUTHORIZE THE SCHOOL NURSE AND
12 OTHER SCHOOL PERSONNEL TO ADMINISTER AUTO-INJECTABLE EPINEPHRINE,
13 IF AVAILABLE, TO A STUDENT WHO IS DETERMINED TO BE OR PERCEIVED TO BE
14 IN ANAPHYLAXIS, REGARDLESS OF WHETHER THE STUDENT:

15 (1) HAS BEEN IDENTIFIED AS HAVING AN ANAPHYLACTIC
16 ALLERGY, AS DEFINED IN § 7-426.1 OF THIS SUBTITLE; OR

17 (2) HAS A PRESCRIPTION FOR EPINEPHRINE AS PRESCRIBED BY
18 AN AUTHORIZED LICENSED HEALTH CARE PRACTITIONER UNDER THE HEALTH
19 OCCUPATIONS ARTICLE.

20 (C) ~~(1)~~ THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS
21 SECTION SHALL INCLUDE:

22 ~~(1)~~ (1) TRAINING FOR SCHOOL PERSONNEL ON HOW TO
23 RECOGNIZE THE SYMPTOMS OF ANAPHYLAXIS;

24 ~~(2)~~ (2) PROCEDURES FOR THE EMERGENCY
25 ADMINISTRATION OF AUTO-INJECTABLE EPINEPHRINE; ~~AND~~

26 ~~(3)~~ (3) THE PROPER FOLLOW-UP EMERGENCY
27 PROCEDURES; ~~AND~~

28 ~~(2)~~ (4) ~~THE POLICY MAY INCLUDE A~~ A PROVISION
29 AUTHORIZING A SCHOOL NURSE TO OBTAIN AND STORE AT A PUBLIC SCHOOL
30 AUTO-INJECTABLE EPINEPHRINE TO BE USED IN AN EMERGENCY SITUATION.

31 (D) (1) EACH PUBLIC SCHOOL SHALL SUBMIT, ON THE FORM THAT
32 THE DEPARTMENT REQUIRES, A REPORT TO THE DEPARTMENT ON EACH

1 INCIDENT AT THE SCHOOL OR AT A RELATED SCHOOL EVENT THAT REQUIRED
2 THE USE OF AUTO-INJECTABLE EPINEPHRINE.

3 (2) THE DEPARTMENT SHALL DEVELOP AND DISSEMINATE A
4 STANDARD FORM TO REPORT EACH INCIDENT REQUIRING THE USE OF
5 AUTO-INJECTABLE EPINEPHRINE AT A PUBLIC SCHOOL.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.